THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition (M/S) No. 1525 of 2006

Mukesh Sharma S/O Sri Vijay Kumar Sharma, R/O Village & Post Office Bhagwanpur District Dehradun (Uttaranchal).

... **Petitioner.**

Versus

1. The Principal Judge, Family Court, Dehradun.
2. Smt. Preeti Sharma W/O Sri Mukesh Sharma, D/O Sri Naresh Chand Parikh R/O 50, D.L.Road, Near Hari Mandir, District Dehradun.

.... **Respondents**

Sri Jitendra Chaudhary, learned counsel for the petitioner.
Sri Nand Prasad, learned Standing Counsel for the respondent no.1.

Dated September 29, 2006.

Hon'ble B.S.Verma, J.

Heard.

The Only prayer made in this writ petition by the petitioner is for a direction to the respondent no.1 to decide the matrimonial Case No. 437 of 2005 Mukesh Sharma Vs. Smt. Preeti Sharma, under Section 9 of the Hindu Marriage Act pending in that Court expeditiously within a time bound period with the allegation that the petitioner filed the said case for restitution of conjugal rights and the respondent no.2 has filed written statement before the trial court as far back as 18-1-2006 but thereafter the respondent no.2 has been adopting delay tactics to prolong the litigation between the parties. The petitioner has annexed the copy of the entire order-sheet of the Matrimonial Case No. 437 of 2005 as Annexure No.3.

In the facts and circumstances of the case, it is fit case in which a direction for expeditious disposal of the case may be issued to the respondent no.1.

Accordingly, the Principal Judge, Family Court, Dehradun-respondent no.1 is directed to decide the Matrimonial Case No. 437 of 2005, Mukesh Sharma Vs. Smt. Preeti Sharma, under Section 9 of the Hindu Marriage Act pending decision in that court in accordance with law expeditiously, preferably within a period of one year form the date of production of certified copy of this order. Both the parties shall co-operate with the court in the expeditious disposal.

With the above direction, the writ petition is disposed of finally.

(B.S.Verma, J.)

29-09-2006.
RCP